

Remarks

The Applicants have amended Claim 29 to recite that the non-woven fabric is substantially free of bundles of ultra-fine fibers. Support may be found in the Applicants' Specification such as on page 22, lines 15 and 16, which recites that "the entanglement between the bundles of ultra-fine fibers is little observed." In other words, there are virtually no bundles of ultra-fine fibers and that the final non-woven fabric is substantially free of such bundles of ultra-fine fibers.

Claim 39 has also been amended to recite that the artificial leather sheet comprises a non-woven fabric which is substantially free of bundles of ultra-fine fibers. Finally, Claim 40 has been amended to recite an unofficial leather sheet which contains a dyed non-woven fabric which is substantially free of bundles of ultra-fine fibers. Entry of the changes to Claims 39 and 40 into the official file and consideration on the merits is also respectfully requested.

Claim 39 stands rejected under 35 USC §102 as being anticipated by Kato. Similarly, Claims 29-38 and 40-48 stand rejected under 35 USC §102 as being anticipated by Kato or alternatively rejected under 35 USC §103 as being obvious over Kato. Finally, Claims 47-48 are rejected under 35 USC §103 as being obvious over a combination of Katayama with Kato. The Applicants respectfully submit that Kato is inapplicable to Claims 29-48 alone and inapplicable to Claims 47-48 in combination with Katayama for the reasons set forth below.

Turning first to Claim 39, it recites an artificial leather sheet comprising a non-woven fabric and the fabric does not contain an elastomer and is substantially free of bundles of ultra-fine fibers, wherein the artificial leather sheet contains ultra-fine fibers at least substantially all of which are entangled with each other. This is sharply contrasted to Kato which explicitly and repeatedly refers to an ultra-fine fiber entangled sheet substantially containing bundles of ultra-fine fibers. This is concretely and very plainly shown in FIG. 1 wherein the portion labeled B contains entangled ultra-fine fibers and the portion labeled A contains entangled bundles of ultra-fine fibers. The Specification at the bottom of column 3 referring to FIG. 1 concisely summarizes this by stating:

In FIG. 1, A denotes the portion in which ultrafine fiber bundles are entangled with one another and B denotes the portion in which ultrafine fibers and fine bundles of ultrafine fibers branch from the ultrafine fiber bundles and are entangled with one another.

This fundamental aspect of Kato is more generally stated at the top of column 3 which states:

The entangled non-woven fabric in accordance with the present invention has a fiber structure including a portion (A) in which the ultra-fine fibers are three-dimensionally entangled with one another in bundle form without substantially collapsing the state of arrangement described above and a portion (B) in which ultrafine fibers to fine bundles of ultrafine fibers branched from the ultrafine fiber bundles of portion (A)...

Then column 3 at lines 43-56 proceeds to describe the advantages of having that A and B portion structure.

Referring back to Claim 39, however, it can be seen that Claim 39 specifically recites that the non-woven fabric is substantially free of bundles of ultra-fine fibers. In other words, the Applicants deliberately exclude such fiber bundles. As a consequence, the Applicants respectfully submit that Kato fails to explicitly or implicitly disclose all aspects of Claim 39. In fact, Kato discloses essentially the opposite of what Claim 39 includes with respect to the fact that the non-woven fabric is substantially free of such bundles of ultra-fine fibers. Withdrawal of the rejection is respectfully requested.

Turning to Claims 29-38 and 40-48, the Applicants respectfully submit that Kato is inapplicable under §102 for the same reasons set forth above with respect to Claim 39. However, those claims are also rejected under §103. The Applicants respectfully submit, however, that Kato is inapplicable under §103 as well because Kato essentially teaches in the opposite direction. As noted above in the discussion with respect to Claim 39, Kato discloses that it is both an objective and advantageous to have a portion that has entangled ultra-fine fibers and a portion of entangled bundles of ultra-fine fibers. This provides the hand characteristics, such as flexibility, subtleness and the like, but also does not have fraying, pilling and does not peel. Thus, those skilled in the art will glean from Kato that the presence of a substantial quantity of bundles of ultra-fine fibers is an essential feature of Kato non-woven fabrics. One skilled in the art would therefore not be motivated to produce a non-woven fabric that is substantially free of bundles in view of those teachings. Moreover, one skilled in the art would not have a reasonable expectation of success that removing the portion containing the bundles of ultra-fine fibers would be a successful endeavor. The Applicants respectfully submit that the fact that the bundles of ultra-fine fibers in Kato are taught as being an essential component would

cause one skilled in the art to have a reasonable expectation of failure in removing the bundles of ultra-fine fibers. Thus, the Applicants respectfully submit that Kato is inapplicable to Claims 29-30 and 40-48 under §103.

Turning to Claims 47-48, the Applicants respectfully submit that Katayama fails to provide additional teachings or suggestions that would cure the deficiencies set forth above with respect to Kato. Specifically, the rejection frankly acknowledges that Kato does not disclose the presence of small particles. Thus, the rejection turns to Katayama to cure this deficiency. The Applicants respectfully submit, however, that even if one skilled in the art were to take the small particles in Katayama and introduce them into the Kato non-woven fabric, the result of that combination would still result in a non-woven fabric that contains a substantial number of bundles of ultra-fine fibers. However, as noted above, that is not what the Applicants claim in Claims 47-48. Withdrawal of the rejection is respectfully requested.

In light of the foregoing, the Applicants respectfully submit that the entire application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



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